## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

SRI INTERNATIONAL, INC., a California Corporation,

Plaintiff and Counterclaim-defendant,

v.

INTERNET SECURITY SYSTEMS, INC., a Delaware corporation, INTERNET SECURITY SYSTEMS, INC., a Georgia corporation, and SYMANTEC CORPORATION, a Delaware corporation,

Defendants and Counterclaim-plaintiffs.

C. A. No. 04-1199-SLR

# SRI INTERNATIONAL, INC.'S NOTICE OF DEPOSITION OF RICK MILLER

### TO DEFENDANTS AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT, Plaintiff SRI International, Inc. will take the deposition of Rick Miller on Thursday, April 20, 2006 beginning at 9:30 a.m. at the offices of King & Spaulding, 1180 Peachtree Street, NE, Atlanta, GA 30309 or at such other date, time or location to which the parties may stipulate. The deposition will take place upon oral examination pursuant to the Federal Rules of Civil Procedure before an officer duly authorized by law to administer oaths and record testimony, and will continue from day to day until completed, weekends and holidays excepted. The deposition may be recorded by stenographic, audio, audiovisual, and real-time computer means.

In addition, Plaintiff SRI understand from counsel for Defendants Internet Security Systems, Inc., a Delaware Corporation ("ISS-DE") and Internet Security Systems, Inc., a Georgia Corporation ("ISS-GA") that pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, on April 20, 2006, Mr. Miller will also testify concerning Topic 30 to the extent it relates to Managed Security Services, of Plaintiff SRI's January 18, 2006 Rule 30(b)(6) deposition notice.

Dated: April 12, 2006 FISH & RICHARDSON P.C.

By: /s/ John F. Horvath

John F. Horvath (#4557) 919 N. Market St., Ste. 1100 P.O. Box 1114 Wilmington, DE 19889-1114

Telephone: (302) 652-5070 Facsimile: (302) 652-0607

Howard G. Pollack (CA Bar No. 162897) Gina M. Steele (CA Bar No. 233379) Katherine D. Prescott (CA Bar No. 215496) Michael J. Curley (CA Bar No. 230343) 500 Arguello St., Ste. 500 Redwood City, CA 94063

Page 2 of 4

Telephone: (650) 839-5070 Facsimile: (650) 839-5071

Attorneys for Plaintiff and Counterclaim-defendant SRI INTERNATIONAL, INC.

### **CERTIFICATE OF SERVICE**

I hereby certify that on this 12th day of April, 2006, I electronically filed **SRI** 

#### INTERNATIONAL, INC.'S NOTICE OF DEPOSITION OF RICK MILLER using

CM/ECF which will send notification of such filing to the following. In addition, a copy will also be delivered to Delaware counsel by hand.

Richard L. Horwitz

David E. Moore

Potter Anderson & Corroon LLP

Hercules Plaza

1313 North Market Street, 6th Floor

P.O. Box 951

Wilmington, DE 19899 Telephone: 302-984-6000

Facsimile: 302-658-1192

Email: <a href="mailto:rhorwitz@potteranderson.com">rhorwitz@potteranderson.com</a>
Email: <a href="mailto:dmoore@potteranderson.com">dmoore@potteranderson.com</a>

Richard K. Herrmann

Morris James Hitchens & Williams LLP

222 Delaware Avenue, 10th Floor

P.O. Box 2306

Wilmington, DE 19899-2306 Telephone: 302-888-6800

Telephone: 302-888-6800 Facsimile: 302-571-1750

Email: rherrmann@morrisjames.com

Attorneys for

Defendant/Counterclaim Plaintiffs Internet Security Systems, Inc., a Delaware corporation, and Internet Security Systems, Inc., a Georgia

corporation

Attorneys for

Defendant/Counterclaim Plaintiff

**Symantec Corporation** 

I also certify that on April 12, 2006, I mailed by United States Postal Service and by electronic mail, the above document(s) to the following non-registered participants:

Holmes J. Hawkins, III Natasha H. Moffitt King & Spalding LLP 1180 Peachtree Street, NE Atlanta, GA 30309

Telephone: 404-572-4600 Facsimile: 404-572-5145 Email: hhawkins@kslaw.com Email: nmoffitt@kslaw.com

Theresa A. Moehlman Bhavana Joneja King & Spalding LLP 1185 Avenue of the Americas New York, NY 10036

Telephone: 212-556-2100 Facsimile: 212-556-2222

Email: tmoehlman@kslaw.com Email: jblake@kslaw.com Email: bjoneja@kslaw.com

Paul S. Grewal Robert M. Galvin Lloyd R. Day, Jr. Day Casebeer Madrid & Batchelder, LLP 20300 Stevens Creek Boulevard, Suite 400 Cupertino, CA 95014

Telephone: 408-873-0110 Facsimile: 408-873-0220

Email: pgrewal@daycasebeer.com

Attorneys for

Defendant/Counterclaim Plaintiffs Internet Security Systems, Inc., a Delaware corporation, and Internet Security Systems, Inc., a Georgia corporation

Attorneys for

Defendant/Counterclaim Plaintiffs Internet Security Systems, Inc., a Delaware Corporation, and Internet Security Systems, Inc., a Georgia

Corporation

Attorneys for

Defendant/Counterclaim Plaintiff

**Symantec Corporation** 

By: /s/ John F. Horvath

John F. Horvath

10619233.doc